

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) Case No. 4:08CR356 HEA
)
 MICHAEL CAPELTON,)
)
 Defendant,)

This matter is before the Court on the Report and Recommendation, of Magistrate Judge David D. Noce that Defendant's Motion to Suppress Evidence, [Doc. No.28], be denied. Defendant has not filed any objections to the Report and Recommendation within the prescribed time period.

Accordingly,

Dated this 25th day of September, 2008.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE